

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

SUSAN R. LIMOR, TRUSTEE

Plaintiff,

v.

**TRAVELERS INSURANCE CO.
and THE PHOENIX INSURANCE CO.
(One of the Travelers Insurance
Companies) (n/k/a St. Paul Travelers
Companies Inc.)**

Defendants.

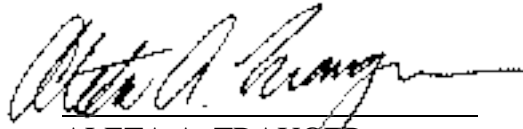
**Case No. 3:04-0855
Judge Trauger**

ORDER

For the reasons expressed in the accompanying Memorandum, the Motion for Summary Judgment filed by the defendant, (Docket No. 33), is **GRANTED** in part and **DENIED** in part. The plaintiff's claim for gross negligence will be **DISMISSED**. Summary judgment as to the plaintiff's claim for bad faith failure to settle within the policy limits will be **DENIED**.

It is so ordered.

Entered this 28th day of November 2006.



ALETA A. TRAUGER
United States District Judge